

Groups Opposing HB 4915

American Council of Life Insurers
American Insurance Association
American Tort Reform Association
AT&T
Automotive Service Association of Michigan
Detroit Regional Chamber
General Electric Company
GlaxoSmithKline
Grand Rapids Area Chamber of Commerce
Insurance Institute of Michigan
Life Insurance Association of Michigan
MichBio
Michigan Association of CPAs
Michigan Association of Health Plans
Michigan Association of Home Builders
Michigan Association of Insurance Agents
Michigan Association of REALTORS
Michigan Bankers Association
Michigan Business and Professional Association
Michigan Cable Telecommunications Association
Michigan Chamber of Commerce
Michigan Concrete Association
Michigan Financial Services Association
Michigan Food and Beverage Association
Michigan Grocers Association
Michigan Health and Hospital Association
Michigan Infrastructure and Transportation Association
Michigan Insurance Coalition
Michigan Licensed Beverage Association
Michigan Lumber and Building Materials Association
Michigan Mortgage Lenders Association
Michigan Optometric Association
Michigan Osteopathic Association
Michigan Restaurant Association
Michigan Retailers Association
Michigan State Medical Society
Michigan Veterinary Medical Association
National Association of Insurance and Financial Advisors
National Association of Mutual Insurance Companies
National Federation of Independent Business/Michigan
Pfizer
PhRMA
Property and Casualty Insurers Association of America
Small Business Association of Michigan
Telecommunications Association of Michigan

October 28, 2009

Members of the House Judiciary Committee:

The purpose of this letter is to express our collective opposition to House Bill 4915 (Rep. Robert Jones). By substantially reducing the regulatory compliance exemption under the Michigan Consumer Protection Act (MCPA), this legislation would create new and costly litigation against over eighty different businesses, trades and professions already regulated by and subject to penalties under state and federal laws.

House Bill 4915 is unnecessary and counter-productive because the litigation it encourages would be in addition to existing remedies under contracts, statutes and common law. Under current law, companies and individuals regulated by state and federal laws must comply with a wide range of requirements and are subject to regulatory oversight, lawsuits and penalties under their regulatory statute(s) for a wide range of alleged wrongdoings. House Bill 4915 ignores these existing penalties and remedies and seeks to subject Michigan employers to parallel tracks of litigation, including class action lawsuits under the MCPA.

This legislation would impact nearly every industry and profession regulated under state and federal law, including:

Hospitals	Alcoholic beverage	Forensic polygraph
Real estate agent schools	wholesalers and retailers	examiners
Real estate brokers and	Telecommunications	Land surveyors
agents	companies	Occupational therapists
Real estate appraisers	Car dealers and dealerships	Sanitarians
Accountants	Owners/operators/	Social workers
Collection agents and	developers of condo	Veterinarians
agencies	projects	Respiratory care
Insurance agents	Residential builders and	professionals
Personnel agents and	maintenance and	Mechanics
agencies	construction contractors'	Motor vehicle repair facilities
Employment agents and	salespersons	Limousine companies
agencies	Chiropractors	Railroads
Consultant agents and	Dentists	Airlines
agencies	Audiologists	Owners/operators of
Morticians	Therapists	manufactured housing
Funeral homes	Physicians	communities
Cemeteries	Nurses	Local governments (relative
Architects	Optometrists	to the services they
Engineers	Nursing homes	provide)
Surveyors	Pharmacists	Investment brokers/advisors
Foresters	Physical therapists	Finance Companies
Landscape architects	Counselors	Mortgage brokers
Community planners	Podiatrists	Casinos
Residential builders	Psychologists	Horse racing tracks
Residential maintenance and	Physicians assistants	National banks
construction contractors	Plumbers	Federal credit unions
	Medical device retailers	

Firearm manufacturers and
dealers
Pharmaceutical companies
Cosmetic retailers
Grain dealers
Livestock dealers
Horse breeders
Pet shops

Dog pounds
Animal shelters
Barbershop schools
Cosmetology schools
Barbers
Barbershops
Cosmetologists
Electrologists

Manicurists
Estheticians
Hearing aid dealers, retailers,
and salespersons
Insurers (for activities not
covered under Chapter 20
of the Insurance Code)

We respectfully ask that you oppose House Bill 4915. Your opposition will help employers focus on building and rebuilding Michigan's economy, instead of spending time and money defending themselves against endless litigation that would impose a second, potentially inconsistent, layer of regulation and needless costs at every turn.

Thank you for your careful consideration of this issue. Please contact us if you would like to further discuss this matter or if you have any questions.

Sincerely,

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Financial Advisors
National Association of Mutual Insurance
Companies
National Federation of Independent
Business/Michigan
Pfizer
PhRMA
Property Casualty Insurers Association of
America
Small Business Association of Michigan
Telecommunications Association of Michigan